

In the United States Court of Federal Claims

No. 20-1307C

(Filed: January 4, 2021)

HARMON-EL, *et al.*,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

ORDER

On September 25, 2020, Plaintiffs filed a complaint against Defendant, the United States, in this Court. ECF No. 1. On November 6, 2020, Plaintiffs filed a motion to proceed *in forma pauperis*. ECF No. 8.

Pursuant to 28 U.S.C. § 1915(a)(1), “any court of the United States may authorize the commencement . . . of any suit, action or proceeding . . . without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement . . . that the person is unable to pay such fees or give security therefor.” Framed properly, the question is not whether the plaintiff is utterly destitute but rather whether “paying such fees would constitute a serious hardship on the plaintiff.” *Waltner v. United States*, 93 Fed. Cl. 139, 143 (2010). Plaintiffs represent in their motion that they are currently unemployed, have their expenses paid for by the “Clan,” and have no cash in a checking or savings account due to a “vow of poverty taken in 2013.” ECF No. 8 at 1–2. Under these circumstances, Plaintiffs have sufficiently demonstrated that they are unable to pay the Court’s filing fee.

Accordingly, Plaintiffs’ pending motion to proceed *in forma pauperis* is **GRANTED**.

IT IS SO ORDERED.

s/Matthew H. Solomson
Matthew H. Solomson
Judge